

Christina W. Lovato
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Bankruptcy Trustee

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA**

IN RE:)	BK-N-16-51082-BTB
)	CHAPTER 7
CONSTANTINO, ALEINA C.,)	
)	MOTION FOR ORDER EXTENDING
)	TIME TO OBJECT TO THE
Debtor)	DISCHARGE OF DEBTOR; NOTICE OF
)	HEARING
)	
)	HEARING DATE: November 16, 2016
)	HEARING TIME: 10:00 a.m.
)	LOCATION: 300 Booth Street, Reno, NV
)	5th Floor – Courtroom 2

Trustee, Christina W. Lovato, and the Office of the U. S. Trustee respectfully move this court for an order extending the time in which they may file an objection to the entry of the Debtor's discharge.

POINTS AND AUTHORITIES

A. Statement of Relevant Facts

1. The Debtor commenced this proceeding by filing a voluntary petition under Chapter 7 of the Bankruptcy Code on or about 08/31/16.

2. The meeting of creditors in this proceeding, pursuant to 11 U.S.C. §341 and F.R.B.P. 2003(a) was first set for 09/29/16, and was concluded at that time.

3. Trustee has requested Debtor's 2016 tax return upon filing and may require turnover of her non-exempt tax refund (if any).

B. Objection to the Discharge of the Debtor

The Trustee is informed and believes that the last day for filing an objection to the discharge of the Debtor is 11/28/16, and that a request for an extension of that deadline must be made before that date.

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1 To provide time to allow Debtor to complete her payment, Trustee requests an extension
 2 of the deadline for the Trustee and/or the U.S. Trustee to file a complaint objecting to the
 3 discharge of Debtors to **06/30/17** to allow Debtor to fully perform her obligations.

4 **WHEREFORE**, it is respectfully requested that the court grant an extension of the time
 5 within which the Trustee and/or the U.S. Trustee may file a complaint objecting to the discharge
 6 of the Debtor to **06/30/17**. The Trustee further requests that the order provide that in the event
 7 the Debtor should comply prior to foregoing deadline, the Trustee may file a Declaration setting
 8 forth that the extension is no longer required and the discharge may be forthwith entered.

9 **NOTICE IS HEREBY GIVEN** that said hearing may be adjourned from time to time
 10 without further notice. Opposition to said motion should be made in writing, filed with the court,
 11 and served on the Trustee, Christina Lovato, no later than fourteen (14) days from the mailing of
 this notice and served no later than seven (7) days preceding the hearing date as per Local Rule
 9014:

- 12 (1) Except as set out in subsection (3) below, any opposition to a motion must be filed,
 13 and service of the opposition must be completed on the movant, no later than fourteen
 14 (14) days preceding the hearing date for the motion. The opposition must set forth all
 15 relevant facts and any relevant legal authority. An opposition must be supported by
 affidavits or declarations that conform to the provisions of subsection (c) of Local
 Rule 9014.
- 16 (2) Except as set out in subsection (3) below, any reply memorandum must be filed and
 17 served no later than seven (7) days preceding the hearing date.
- 18 (3) Subsections (1) and (2) do not apply to:
 - 19 (A) Motions for summary judgment brought in any adversary proceeding;
 - 20 (B) Motions for which an order shortening the time for the hearing date has been
 obtained; and
 - 21 (C) Motions or contested matters for which the court has set a separate briefing
 22 schedule either in open court or by separate order.

23 If you object to the relief requested, you must file a **WRITTEN** response to this pleading
 24 with the court. You must also serve your written response on the person who sent you this
 notice.

25 If you do not file a written response with the court, or if you do not serve your written
 26 response on the person who sent you this notice, then:

- 27 • The court may refuse to allow you to speak at the scheduled hearing; and
- 28 • The court may rule against you without formally calling the matter at the hearing.

1 Individuals representing themselves are not exempt from this rule.

2 Dated: October 3, 2016

3 /s/ Christina W. Lovato
4 Christina W. Lovato, Trustee

5 Certificate of Mailing

6 The undersigned Trustee for the District of Nevada hereby certifies under penalty of
7 perjury that a copy of this document was mailed on the date shown to the Debtor at the last
8 known address; and, sent by electronic mail through the Court's Electronic Case Filing system,
to the Debtor's attorney, the Office of the U.S. Trustee and any party filing a request for notice.

9 Dated: October 3, 2016

10 /s/ Christina W. Lovato
11 Christina W. Lovato, Trustee